

**MINUTES OF THE REGULAR MEETING  
MASSILLON CITY COUNCIL  
HELD MONDAY, OCTOBER 7, 2024**

**COUNCIL PRESIDENT SLATER** – Good evening. Welcome to the Massillon City Council Meeting for Monday, October 7, 2024. We have in attendance the following City officials: Mayor, Jamie Slutz, Safety Service Director, Renee Baker, Law Director, Justin Richard, Asst. Law Director, Edmond Mack, Chief Counsel, Earle Wise Jr., City Engineer, Alex Pitts, Director of Development, Ted Herncane, Police Chief, Jason Saintenoy, Income Tax/Budget Director, Lori Kotagides-Boron, Health Commissioner, Terri Argent, and Street Superintendent, Tom Burgasser. Under #5 on the agenda is where the public can speak on any topic that appears on tonight’s agenda and under #17 is where the public can speak on any topic that does NOT appear on tonight’s agenda. I’d like to remind you that if you have a cell phone, please set it to mute, vibrate or turn it off. Thank you.

**COUNCIL PRESIDENT SLATER** – Roll call, Madam Clerk.

**1. ROLL CALL**

Roll call for the evening found the following Council Members present: Holly Bryan-Huth, Sarita Cunningham, Mike Gregg, Julie Harwig Smith, Ed Lewis, John Paquelet and Eric Ray

Roll call of 7 present

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we excuse Councilwoman Creamer and Councilman Lombardi.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Ray. Roll call, please.

7 yes to excuse Councilwoman Creamer and Councilman Lombardi

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Councilwoman Creamer and Councilman Lombardi have been excused. Councilman Ray.

**2. INVOCATION**

**COUNCILMAN ERIC RAY**

**3. PLEDGE OF ALLEGIANCE**

**LED BY COUNCILMAN RAY**

**COUNCIL PRESIDENT SLATER** – Thank you, Councilman Ray.

**4. READING OF THE JOURNAL**

**COUNCIL PRESIDENT SLATER** – Madam Clerk are the minutes of the previous meeting transcribed and open for public viewing?

**COUNCIL CLERK ROLLAND** – Yes, they are.

**COUNCIL PRESIDENT SLATER** – Are there any additions or corrections to be made?

**COUNCIL CLERK ROLLAND** – No, there are not.

**COUNCIL PRESIDENT SLATER** – Then the minutes stand approved as written. Thank you, Madam Clerk.

## 5. **REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS ON THE AGENDA**

**ERIK HANN** – I live in Louisville, Ohio, and I'd like to speak on Ord. No. 99 – 2024. Good evening, Council. I am a journeyman/electrician and the business manager for IBW Local #540 located right here in Massillon. I represent over 950 members many of which live in Massillon. I'm also the treasurer for the East Central Ohio Building and Construction Trades Council and I am here to speak in opposition of Ord. No. 99 – 2024. The argument in favor of the proposed change was based on the idea that eliminating the ordinance would increase the number of bids for construction projects, creating a more competitive environment which, in turn, would drive construction costs down. Now, I agree with the notion the more competition normally equals better pricing. But the question we need to ask ourselves is will this proposal accomplish that goal? So with that in mind, what are we doing right now. Let's look at the City's past practice. The City has had this PLA language in its ordinance for over ten years. During that time, we've only used that about three times. We've only negotiated a PLA about three times. It's important to note that when a project is released for bid it is already determined whether or not a PLA is being used. And again, the City's only done this three times over the course of almost fifteen years. The vast majority of projects are being done without PLA's and according to the councilman, we're not getting enough bids. So, this resolution would just give us more of the same. I think a more compelling argument could be made to say, maybe if we use more PLA's, we might get more bids. So when I first heard the resolution and that the City wasn't getting enough bids, the first thing that came to my mind is how is the City advertising its projects for bid? Are they in the newspaper? Are they in the construction journal? Are they on the industrial info alerts? This is something that our Council could really help with. You sign a PLA with us, I will share your projects with fifteen to twenty of my contractors and I will make sure they bid your projects because I want my members to have jobs. I want them to bid projects just as much as you guys and I think we have a common goal here. We just have a little disagreement on how to accomplish that goal. So, our Building Trades Council has a vast amount of knowledge in terms of what makes a contractor to decide to bid a project or not. We can dive into the details of that and help you make informed decisions to attract more bidders. There certainly are factors that drive contractors away. We know what those are and we can help you with that. That's just the tip of the iceberg on some of the benefits that PLA's have for the City and you're going to hear some more of those tonight. So before you make a decision on this, I'd love to have a meeting with the Council to sit down and take a deeper dive into PLA's and let's try them out. Let's negotiate a PLA. Let's do a project and let's see how many bidders we get. This proposal, it just gives us more of the same. If history is any indicator of the future, I think it's fair to say that this resolution will not accomplish the goal that we're looking for, so let's try a new approach, let's table this resolution, sit down together and come up with a solution where everybody wins. I thank you for your time and I look forward to hearing from you.

**COUNCIL PRESIDENT SLATER** – Thank you.

**JERRY DURIEU** – I'm a business representative for the Sheet Metal Workers, I'm also the President of the East Central Ohio Building and Construction Trades Council. I'm in opposition as well to Ord. No. 99 – 2024. I'm here to speak against that. We started this in 2011. We were very ecstatic to have PLA's in the City of Massillon just because of all the failed projects that were going on; ran over budget. So, we're talking about PLA's. I think there's a lot of misconceptions about PLA's. Like Erik stated, we want to help make everybody aware of all the facts of the PLA's, the ins and outs of the PLA's. One big misconception is that a PLA, non-union people can't bid. You're looking at a lot of union people right here. Union people always know that the PLA is open for their bid. Non-union people bid as well. We're working on multiple projects right now in the City of Canton with non-union people getting those awards. It doesn't exclude anybody from the bid process; just so everybody knows. What it does is structure the bidding process. It helps your economic development directors; it helps ease the pain for you making the decisions for all of your constituents. So, you own a PLA. The City owns a PLA. You write the exclusions that you want in there. You write the parameters you want in there. What the bidders come in and do is that they understand the work process, they understand that there's contractual processes for fair pay, fair retirement, fair health care that all their workers are going to be taken care of. The workers here, they're union, obviously. But they all understand what their benefits are whether what project they work on; a bigger or little project, doesn't matter at all. Everything stays the same for them. We've all been misled by like products of lesser quality, cheaper price. We've all been let down by that. What I try not to do is put down anybody that doesn't have the opportunity to become union because everybody does have the opportunity to become union. We want everybody in. I mean, you can see there's a diverse crowd behind me. We accept everybody. We want everybody to have the chance to better themselves. These people live here and pay taxes here. They buy homes here. They're the ones, the second item I said, to pay taxes here. They're the ones that support everything around here. They deserve a good shot at it. If they don't get the company they're working for doesn't get awarded the project, that's fine too. But they know that the taxes are going to be paid here on their behalf. Basically, to help the City fund everything. Erik touched on a couple of points here. Responsible bid contracting, that's what we look for. You don't want somebody coming in to waterproof your basement that only has done roofs. They're going to do a substandard job. You're probably going to have call-backs; that leads to more cost. That's what we try to minimize in a PLA. When we sit down and draft a PLA with the City, we craft in everything that there is. Not to exceed cost, contractual cost, I mean, we put everything in there and they follow verbatim. If they make a mistake, they pay for that. The residents and the City doesn't pay for that. That's the problem. That's the problem you have with not having a PLA. There's no structure around it. I would just say that the union trades people here, they're the ones that are unmatched in training. They spend their time at the apprenticeship learning their particular craft that they want. But they do it for their family, they do it for their community, they're big additions to our community. I don't think they should be overlooked by somebody coming in with a cheaper price because you're just not going to get that good of a job. Personally, you're sitting right now, five minutes from one of our training centers here that we put a \$3.6 million-dollar training center up here in Massillon on Venture Circle. I invite everybody to come up and look at it and see what we do and let's just sit down and have a conversation, like Erik said, with the building trades, with us individually just to understand the money that the members put into this, the money that the contractors put into this and the training that they get and they can walk away with a very good life, a good retirement and take care of their family and show up to the football games on Friday night. They love that. I would just say that the East Central Ohio Building Construction Trades, we are committed to helping to serving all of our communities that we represent and we look forward to working with you in the future. That's all I have.

**COUNCIL PRESIDENT SLATER** – Thank you. We appreciate it.

**JERRY DURIEU** – Thank you.

**BRETT MCELFRISH** – Good evening. I'm a Massillon/Jackson resident. Graduated from Washington High School in 2002. Thank you for allowing me to speak this evening on a matter of most importance, project labor agreements or PLA's. I understand that the City Council has ordinance that allows the use of PLA's by the Mayor for construction projects. I also understand the Councilman Lewis has made a motion to eliminate this PLA ordinance. Again, I am Brett McElfresh, business manager of Plumbers, Pipefitters and Local #94 here in Canton, OH. We cover this area also. Also, vice president of East Central Ohio Building Construction Trades. Our organization has executed well over two hundred PLA's in this area with great success for the user. With these PLA's we able to help the owner of the project maintain trained and qualified workers. Through our joint apprenticeship and training, continuous training for our journey persons. We mitigate labor disputes, safety accidents, drug testing and aiding helping minority business owners, women and veterans in the trades. Councilman Lewis, you have quoted time and time again in the newspapers over the years, you have a goal in serving the constituents and better the City of Massillon. You have dedicated your life to the service of others. How does removing PLA's from the City of Massillon do that? The collective bargaining contracts that my members work under establish wage rates for this area; their crafts line of work. These men and women toil in their respective fields of the trades daily. What they deserve is fair wage, benefits and retirement. The truth is there are contractors, bad actors out there every day. They do their finest to screw people out of this. The contractors and owners who do businesses under collective bargaining or PLA's understand their investment in the type of workers, they have a solid return. There's no reasonable conversation or data that can be produced to keep benefits, retirement and fair wages from a worker's pockets will benefit anyone. Registered apprenticeships that our members go through speak volumes on the dedicated and skill workers we have provided to our contractors. Yes, very few of our non-union contractors have Dept. of Labor and Ohio Apprenticeship Council approval. These companies are not trying to develop a credible work force. Instead they are trying to push numbers and have no real interest in their employees. What you receive by not using skilled work force, trained work force and a work force dedicated to safety, substance abuse, free policies, is jobs not being done correctly, over budget and unsafe. If this Council believes that this is the best way to spend taxing coming from the City of Massillon, you would be mistaken. Show that you will care and serve your constituents by supporting workers and only do business with companies that do also. Thank you. I'd like to leave this for City Council and some other information.

**COUNCIL PRESIDENT SLATER** – Yes sir.

**BRETT MCELFRISH** – Thank you.

**COUNCIL PRESIDENT SLATER** – Thank you. Anyone else?

## 6. NEW AND MISCELLANEOUS BUSINESS

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. Let me give you a little bit of history before we can get to my motion for this evening. Approximately a little over ten years ago, the City of Massillon was in

fiscal emergency and that was governed and overseen by the State of Ohio at that time. In order to come out of fiscal emergency, we did have to put together a plan that had to be adopted by the City and approved by the State of Ohio and part of that plan was that the Administration would submit a budget to the City Council by October 15<sup>th</sup> every year in order for Council to start our proceedings of having budgetary hearings, go through the readings and eventually make adjustments or vote on the budget. With that said, the deadline to have the budget submitted to us is next Tuesday, however, we are receiving vital information to our budget on the 17<sup>th</sup> and that is our insurance rates for our employees in the City and it would greatly impact on the budget overall. So, I'm requesting, after speaking with the Budget Director that we allow an extension in this particular year to the 23<sup>rd</sup> of October so that those numbers can be received. If you notice that the 15<sup>th</sup> is the day after a Work Session, so this body would not take up a formal review and discussion of that budget until the 28<sup>th</sup> anyways. So, it does not impact our ability and our process or slow us down. It does allow the Budget Director those few extra days to get the numbers, make the adjustments to the budget and submit us one clean copy instead of an amended copy later. So with all that said, I'd like to make a motion that this City Council grants the Administration an extension of the budget deadline to be October 23, 2024.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call.

7 yes to approve the extension of the budget deadline to October 23, 2024

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, President Slater. In accordance with Division (G)(4) of Section 121.22 of the Ohio Revised Code, I move that we enter into Executive Session, to include all Members of Council, the President of Council, Mayor Jamie Slutz, Director of Safety and Service Renee Baker, Budget Director Lori Kotagides-Boron, Chief of Police Jason Saintenoy, Street Department Superintendent Tom Burgasser, Law Director, Justin Richard, Representatives of the Law Department, Edmond Mack and Earle Wise. The purpose of the Executive Session is for reviewing negotiation sessions relating to the Collective Bargaining Agreements with several of the City's public employees' unions concerning their compensation and other terms and conditions of their employment.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilwoman Bryan-Huth. Roll call.

7 yes to enter into Executive Session – 6:50 p.m.

**COUNCIL PRESIDENT SLATER** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, President Slater. I make a motion that we return from Executive Session.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Ray. Roll call.

7 yes to exit Executive Session – 7:10 p.m.

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk.

**7. INTRODUCTION OF ORDINANCES AND RESOLUTIONS**

**COUNCIL PRESIDENT SLATER** – Ord. No. 89 – 2024.

**ORDINANCE NO. 89 – 2024**

**BY: RULES, COURTS & CIVIL SERVICE COMMITTEE**

AN ORDINANCE repealing Section 2 of Ordinance No. 15 – 2019 and enacting a new Section (2) D OCCUPATION LIST OF CLASS TITLES of Ordinance No. 127 – 1997, 845 COMMUNITY DEVELOPMENT/PLANNING DEPARTMENT, in the City of Massillon, Ohio.

**COUNCIL PRESIDENT SLATER** – Councilman Gregg.

**COUNCILMAN GREGG** – First reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 89 – 2024 has received first reading. Ord. No. 90 – 2024.

**ORDINANCE NO. 90 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1234 Parks and Recreation Fund – Legends, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is a \$25,000 appropriation from their funding and that is to assist with the increased needs that they have. They've had a lot more events and what not going on. So, they just need a little bit more throughout the year. If there are no questions or discussion this evening; seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 90 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 90 – 2024 has passed. Ord. No. 91 – 2024.

**ORDINANCE NO. 91 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is a \$1,000 appropriation. It is for the emergency man gate down at the Health Dept. Are there any questions or discussion this evening? Seeing

none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 91 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Ord. No. 91 – 2024 has passed. Ord. No. 92 – 2024.

**ORDINANCE NO. 92 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1235 Community Health Services Fund, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This \$300 appropriation is to reimburse WIC for expenses that they had for a local fair. Any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 92 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 92 – 2024 has passed. Ord. No. 93 – 2024.

**ORDINANCE NO. 93 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of the Massillon Police Department, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. These funds are a reimbursement from a grant that we had used to purchase body armor. We're taking now the reimbursed dollars and wanting to put those dollars towards the lease/purchase of a new vehicle for the Police Dept. Are there any questions or discussion? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 93 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 93 – 2024 has passed. Ord. No. 94 – 2024.

**ORDINANCE NO. 94 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of the Massillon Police Department, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is, again, money that we received in reimbursement for continued education related to the police officers and the mandated continued education that they have to go through. So now, we're taking that reimbursement and appropriating it to our salary line item. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 94 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 94 – 2024 has passed. Ord. No. 95 – 2024.

**ORDINANCE NO. 95 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1100 General Fund, for the purpose of the Income Tax Department, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is an appropriation for \$75,000 that will hopefully cover us to the end of the year so we can meet our obligation for income tax refunds that are received at the City. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 95 – 2024 forward for a vote.



**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 95 – 2024 has passed. Ord. No. 96 – 2024.

**ORDINANCE NO. 96 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 3112 Donation Fund, for the purpose of the Roberson Splash Pad Project, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This appropriation of \$106,345 is from donated funds for the related project. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 96 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 96 – 2024 has passed. Ord. No. 97 – 2024.

**ORDINANCE NO. 97 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1222 Waste Management Grant Fund, for the year ending December 31, 2024.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This is a grant that we receive annually at the City to be used for general waste management services within the City. This year it looks that we are proposing that we use it for yard cleanup; the cost associated with that. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 97 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 97 – 2024 has passed. Ord. No. 98 – 2024.

**ORDINANCE NO. 98 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE making certain appropriations from the unappropriated balance of the 1203 Community Development Block Grant (CDBG) Fund, for the year ending December 31, 2024, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Yes. This appropriation for \$432,016 is part of our Community Development Block Grant. These are Federal funding that we receive. CDBG works on a fiscal year while we work on that calendar year. So, with the change of the mid-year and the funding coming in, we just have to appropriate these dollars for the remainder of the year. These are in line with the agreements that we made earlier in the year of our funding of this program. Are there any questions or discussion this evening? Seeing none, I make a motion that we suspend the rules requiring three readings, bringing Ord. No. 98 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 98 – 2024 has passed. Ord. No. 99 – 2024.

**ORDINANCE NO. 99 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE repealing Ordinance No. 31 – 2011, which establishes procedures to determine the lowest and best bid for the construction of public improvements in the City of Massillon, Ohio, and to allow the use of project labor agreements for the construction of certain public improvements in the City of Massillon, Ohio.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – First reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 99 – 2024 has received first reading. Ord. No. 100 – 2024.

**ORDINANCE NO. 100 – 2024**

**BY: FINANCE COMMITTEE**

AN ORDINANCE authorizing the Mayor of the City of Massillon, Ohio, to submit an application for funding to the Ohio Public Works Commission (OPWC) for the funding year 2025, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – Mr. President, can I call forward the City Engineer?

**COUNCIL PRESIDENT SLATER** – Yes you can.

**COUNCILMAN LEWIS** – As he comes forward, this piece was not on the Work Session. Members of the Finance Committee were contacted last week asking that we place this on due to time sensitivity. Mr. Pitts if you could continue from there.

**ALEX PITTS** – Yes. So, this ordinance is to allow for us to apply for the OPWC grants that is due this Friday, October 11<sup>th</sup>. The plan is to submit Warmington Rd. as a part of the OPWC grant and that involves completely reconstructing the roadway. Widening it, adding curb gutter and restoration of the bridge. The project limits would be from SR 21 down to the railroad tracks to the west. So, at this time we're just requesting to have this passed tonight, if possible, so we can apply for the grants that's due Friday.

**COUNCILMAN LEWIS** – Mr. Pitts, this particular street, Warmington Rd., receives heavy truck traffic due to industry on this road and we've had ongoing issues particularly with that bridge, is that correct?

**ALEX PITTS** – Correct, yes.

**COUNCILMAN LEWIS** – And OPWC funding, if we were to be awarded it, would cover 80%?

**ALEX PITTS** – Yes. I'm actually going to ask for more than that. I'm going to ask for 90%. Do a 90%-10% split. The cost estimate is around \$2.7 million.

**COUNCILMAN LEWIS** – Does anybody have any questions for Mr. Pitts? Councilwoman Cunningham.

**COUNCILWOMAN CUNNINGHAM** – That's for the entire project?

**ALEX PITTS** – Yes. Correct.

**COUNCILMAN PAQUELET** – I have a question.

**COUNCIL PRESIDENT SLATER** – Councilman Paquelet.

**COUNCILMAN PAQUELET** – The businesses there; Grief Bros. and the sandpit and Pepsi or Coke there; are they investing any money in this or do they want to; have they been approached on that?

**ALEX PITTS** – They have not been approached, but since it is a public roadway within the public right of way, anybody in the City of Massillon has rights to use it, so we wanted to do our due diligence of taking care of the pavement there. It needs completely reconstructed due to the truck traffic; I get that. To answer your question, no, I haven't reach out to the private entities that are there. But, I could, for sure.

**COUNCILMAN PAQUELET** – Just curious. Because the road is in bad shape.

**COUNCIL PRESIDENT SLATER** – Councilwoman Harwig Smith.

**COUNCILWOMAN HARWIG SMITH** – Thank you, President Slater. What did you say the estimated cost is of the project?

**ALEX PITTS** – At this time it is \$2.7 million.

**COUNCILWOMAN HARWIG SMITH** – So, before when they did it, was it last year even? They just paved it, they went over it. So now we're going to go all the way down and we're gonna like...because it is all heavy traffic. I drive this road all the time; it's a mess and it's from all the trucks and everyone coming into the scrap yard. So, it's needs done right.

**ALEX PITTS** – So, it's not just going to be an overlay. So we're going to reconstruct the entire roadway. That goes all the way down to the base. We're going to widen it, add curb and gutter; the whole shebang and that why it never was included into the resurfacing program. I believe last year, I know Warmington was a question whether or not it could be included into the 2024 Resurfacing Program and that's wise because it needs full reconstruction. Even if we just went and paved it...

**COUNCILWOMAN HARWIG SMITH** – We're just wasting our time.

**ALEX PITTS** – Exactly.

**COUNCILWOMAN HARWIG SMITH** – So this would be for 2025?

**ALEX PITTS** – Yes.

**COUNCIL PRESIDENT SLATER** – Any more questions? Councilman Paquelet.

**COUNCILMAN PAQUELET** – When or hopefully this project does take place, will the road be closed during that time?

**ALEX PITTS** – Yes.

**COUNCILMAN PAQUELET** – Are the trucks going to be able to head west on that road, Warmington Rd. to exit?

**ALEX PITTS** – I believe so. We'll have a MOT Plan association with it. The plans aren't final. We have preliminary plans which is good for the grant process. We'll finalize it here if we're awarded the grant.

**COUNCILMAN PAQUELET** – I mean, with the railroad tracks there and that hump that semi's will be able to make it over the hump.

**ALEX PITTS** – I'm thinking that we're probably going to try to do limited access. If anyone needs to get to work or something like that, we'll allow that. But as far as full on, open, we're just not going to be able to because of the type of project that this is.

**COUNCILMAN PAQUELET** – Okay. Thank you.

**COUNCIL PRESIDENT SLATER** – Any more questions? Councilman Lewis.

**COUNCILMAN LEWIS** – With that, I'd like to make a motion that we suspend the rules requiring three readings, bringing Ord. No. 100 – 2024 forward for a vote.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call for suspension.

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 100 – 2024 has passed.

**8. UNFINISHED BUSINESS**

**9. PETITIONS AND GENERAL COMMUNICATIONS**

A Request for a Stock Exchange of a Liquor License to Shiv Gauri Inc., DBA Massillon Mini Mart located at 2622 Lincoln Way W., Massillon, Ohio 44647. Permit Classes are C1 and C2 and is located in Ward 6.

**COUNCIL PRESIDENT SLATER** – Councilman Paquelet, did you receive a copy of this?

**COUNCILMAN PAQUELET** – I did and I received no questions or concerns regarding this.

**COUNCIL PRESIDENT SLATER** – Yes sir.

**EARLE WISE** – If I may, Councilman Paquelet and I discussed this right before the Committee meeting. I've looked this up. We received two pages, certified mail from the applicants, I believe and this application is at least a six-page application. So I don't know that there's any reason to act upon this or any required action. The Liquor Control will have to approve this, but I would suggest that we note we received two pages of the six-page application and I will further look into it and see if we need more. The signature pages are not included in this letter, so I don't know if that's important or not, but just to make sure that everyone on Council knows that what we received, I believe it is page one of one and then page three of six. So, there's some other information that we didn't receive that I think has to be filled out and signed.

**COUNCIL PRESIDENT SLATER** – Thank you.

**EARLE WISE** – Absolutely.

**COUNCILMAN PAQUELET** – And what it is from what we could determine from what was provided was it appears that it's the ownership change of the business. So it's a stock exchange. It's a stock exchange from the business. Thank you, Mr. Wise.

**COUNCIL PRESIDENT SLATER** – Alright.

**10. BILLS, ACCOUNTS AND CLAIMS**

US Bank Equip. Finance	-	\$ 127.00	October Payment for Copier
First Commonwealth Bank	-	<u>8.83</u>	Recv'd/Date Stamp from OfficeMax
<b>Total</b>	-	<b>\$ 135.83</b>	

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion to pay the bills.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call.

7 yes to pay the bills

**COUNCIL PRESIDENT SLATER** – The Clerk will pay the bills and charge them to the proper accounts.

**11. REPORTS FROM CITY OFFICIALS**

Treasurer's Report	-	August 2024
Health Commissioner's Report	-	October 2024
Auditor's Report	-	September 2024

**COUNCIL PRESIDENT SLATER** – Councilman Lewis.

**COUNCILMAN LEWIS** – I make a motion that we accept the Auditor's Report.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilman Gregg. Roll call.

7 yes to accept the Auditor's Report

**COUNCIL PRESIDENT SLATER** – The Auditor's Report has been accepted.

**12. REPORTS OF COMMITTEES**

**COUNCIL PRESIDENT SLATER** – Our next Work Session will be Monday, October 14, 2024, at 6:30 p.m.

**13. RESOLUTIONS AND REQUESTS OF COUNCIL MEMBERS**

**14. CALL OF THE CALENDAR**

15. **THIRD READING ORDINANCES AND RESOLUTIONS**

**COUNCIL PRESIDENT SLATER** – Ord. No. 78 – 2024.

**ORDINANCE NO. 78 – 2024**

**BY: STREETS, HIGHWAYS, TRAFFIC & SAFETY COMMITTEE**

AN ORDINANCE enacting CHAPTER 558 “TREE REMOVAL PROGRAM” under PART FIVE, “GENERAL OFFENSES CODE” of the Codified Ordinances of the City of Massillon, Ohio, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Paquelet.

**COUNCILMAN PAQUELET** – Thank you, President Slater. I would like to move forward with a vote. Does anyone have any questions?

**COUNCILMAN LEWIS** – We didn’t make an amendment to this?

**COUNCIL CLERK ROLLAND** – Yes. It’s supposed to be amended. We didn’t amend it in the last Council meeting. So, it would have to have a motion to amend it to the version that Chief Counsel Earle emailed to us last week. It was sent out to everybody to look it over. So, you need to make a motion to amend.

**COUNCILMAN PAQUELET** - I make a motion to amend Ord. No. 78 – 2024.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilwoman Cunningham. Roll call.

7 yes to amend Ord. No. 78 – 2024 per the final draft sent out by Chief Counsel Earle Wise.

**COUNCIL PRESIDENT SLATER** – Councilman Paquelet.

**COUNCILMAN PAQUELET** – I’d like to make a motion to waive the rules requiring three readings and bring Ord. No. 78 – 2024 forward for a vote.

**COUNCILMAN SLATER** – Seconded by Councilwoman Cunningham. Roll call for suspension

7 yes for suspension

**COUNCIL PRESIDENT SLATER** – And for passage.

7 yes for passage

**COUNCIL PRESIDENT SLATER** – Thank you, Madam Clerk. Ord. No. 78 – 2024 has passed.

16. **SECOND READING ORDINANCES AND RESOLUTIONS**

**COUNCIL PRESIDENT SLATER** – Ord. No. 81 – 2024.

**ORDINANCE NO. 81 – 2024**

**BY: COMMUNITY DEVELOPMENT COMMITTEE**

AN ORDINANCE amending the Zoning Map of the City of Massillon, Ohio, by rezoning certain properties from B-1 Local Business District and RM-1 Multiple Family Residential to B-3 General Business District.

**COUNCIL PRESIDENT SLATER** – Councilman Gregg.

**COUNCILMAN GREGG** – Second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 81 – 2024 has received second reading. Ord. No. 82 – 2024.

**ORDINANCE NO. 82 – 2024**

**BY: PUBLIC UTILITIES & ENVIRONMENTAL COMMITTEE**

AN ORDINANCE authorizing the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into the Northeast Ohio Public Energy Council (NOPEC) and execute and deliver the Agreement establishing NOPEC and approving the By-Laws of NOPEC.

**COUNCIL PRESIDENT SLATER** – Councilwoman Bryan-Huth.

**COUNCILWOMAN BRYAN-HUTH** – Second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 82 – 2024 has received second reading. Ord. No. 83 – 2024

**ORDINANCE NO. 83 – 2024**

**BY: PUBLIC UTILITIES & ENVIRONMENTAL COMMITTEE**

AN ORDINANCE approving the plan of operation and governance for the Northeast Ohio Public Energy Council (NOPEC) electricity aggregation program for the purpose of jointly establishing and implementing an electricity aggregation program.

**COUNCIL PRESIDENT SLATER** – Councilwoman Bryan-Huth.

**COUNCILWOMAN BRYAN-HUTH** – Second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 83 – 2024 has received second reading. Ord. No. 84 – 2024.

**ORDINANCE NO. 84 – 2024**

**BY: RULES, COURTS & CIVIL SERVICE COMMITTEE**

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO, Streets and Parks Department, and the City of Massillon, Ohio, effective April 1, 2024 through March 31, 2027, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Gregg.

**COUNCILMAN GREGG** – Thank you, President Slater. I had originally planned to bring this forward for a vote this evening, but given the fact that we do have two members of Council that



would likely have questions regarding this piece of legislation as well as Ord. No. 85 – 2024 and Ord. No. 86 – 2024, they kind of go along together, I’m going to give this second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 84 – 2024 has received second reading. Ord. No. 85 – 2024.

**ORDINANCE NO. 85 – 2024**

**BY: RULES, COURTS & CIVIL SERVICE COMMITTEE**

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to accept and enter into a collective bargaining agreement between AFSCME, Ohio Council 8, Local 996, AFL-CIO, Wastewater Treatment Department, and the City of Massillon, Ohio, effective April 1, 2024 through March 31, 2027, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Gregg.

**COUNCILMAN GREGG** – Second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 85 – 2024 has received second reading. Ord. No. 86 – 2024.

**ORDINANCE NO. 86 – 2024**

**BY: RULES, COURTS & CIVIL SERVICE COMMITTEE**

AN ORDINANCE authorizing the Mayor and the Director of Public Service and Safety of the City of Massillon, Ohio, to enter into a collective bargaining agreement with the Massillon F.O.P. Henderson Lodge Police Officers Association, Blue Unit, effective July 1, 2024 through June 30, 2027, and declaring an emergency.

**COUNCIL PRESIDENT SLATER** – Councilman Gregg.

**COUNCILMAN GREGG** – Second reading.

**COUNCIL PRESIDENT SLATER** – Ord. No. 86 – 2024 has received second reading.

17. **REMARKS OF DELEGATIONS AND CITIZENS TO MATTERS NOT ON THE AGENDA**

18. **ADJOURNMENT**

**COUNCIL PRESIDENT SLATER** – Councilman Ray.

**COUNCILMAN RAY** – I make a motion that we adjourn.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilwoman Cunningham.

**COUNCILWOMAN CUNNINGHAM** – President Slater.

**COUNCIL PRESIDENT SLATER** – Yes ma’am.

**COUNCILWOMAN CUNNINGHAM** – Mr. Gregg would like to give a shout out to the Tigers tonight.

**COUNCILMAN GREGG** – Thank you, Councilwoman Cunningham. Yeah, a big shout out to the Massillon Tiger football team. They had a victory this past Friday night over another international opponent from Canada. The Tigers are doing well and we got a big game coming up this weekend, this Friday with the team from Texas. So, we're looking forward to that. So, go Tigers.

**COUNCIL PRESIDENT SLATER** – Seconded by Councilwoman Cunningham to adjourn. Roll call.

7 yes to adjourn

**COUNCIL PRESIDENT SLATER** – Meeting adjourned.

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DIANE ROLLAND, COUNCIL CLERK

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MIKE SLATER, PRESIDENT